

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ATLANTIC RECORDING CORP.,
et al.,

Plaintiffs,

v.

SPENCER O. RANDLE,

Defendant.

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CIVIL ACTION NO. H-07-0318

ORDER OF FINAL JUDGMENT BY DEFAULT AND INJUNCTION

Plaintiffs have filed a motion for entry of default and default judgment against defendant Spencer O. Randle for his failure to answer or otherwise appear. Plaintiffs have submitted a declaration and application supporting their request for default judgment, an award of statutory damages for infringed works under the Copyright Act, 17 U.S.C. § 504(a) and (c), and for an injunction. The defendant Spencer O. Randle has failed to answer the complaint as required by Rule 12, Fed. R. Civ. P., making entry of default against him proper. The plaintiffs have filed a declaration, application, and exhibits in support of their claims for statutory damages and an injunction. The plaintiffs have also sent defendant notice of the motion for entry of default and default judgment. Further notice to the defendant and further hearings are not necessary. Rule 55(b)(2), Fed. R. Civ. P. The motion for default judgment is granted.

This court concludes that the plaintiffs have established their entitlement to default judgment against the defendant Spencer O. Randle for the minimum statutory damages provided under section 504 of the Copyright Act (\$750.00) for each of the six infringements alleged in the Complaint, for a total of \$4,500.00, an injunction under section 502 of the Copyright Act, and costs in the amount of \$420.00.

Spencer O. Randle must pay \$4,550.00 in damages to the plaintiffs for infringement of plaintiffs' copyrights.

Spencer O. Randle is enjoined from directly or indirectly infringing plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

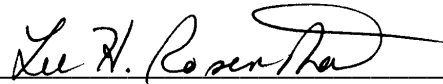
- "Take it to da House," on album "Thugs are Us," by artist "Trick Daddy" (SR# 303-748);
- "Boombastic," on album "Boombastic," by artist "Shaggy" (SR# 222-048);
- "Love No Limit," on album "What's The 411?" by artist "Mary J. Blige," (SR# 149-212);
- "Dangerously in Love," on album "Survivor," by artist "Destiny's Child" (SR# 298-199);
- "Lately," on album "Tyrese," by artist "Tyrese" (SR# 237-788); and
- "Come Over," on album "J. Lo.," by artist "Jennifer Lopez" (SR# 293-297).

Spencer O. Randle is enjoined from any infringing activities, including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of these recordings, to distribute (i.e., upload) any of these recordings, or to

make any of these recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of the plaintiffs. Spencer O. Randle must destroy all copies of these recordings he has downloaded onto any computer hard drive or server without plaintiffs' authorization and destroy all copies of those downloaded recordings transferred onto any physical medium or device in his possession, custody, or control.

Spencer O. Randle must also pay the costs of court in the amount of \$420.00.

SIGNED on April 9, 2007, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", is written over a horizontal line.

Lee H. Rosenthal
United States District Judge